IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FOURTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

-

-

WRIT PETITION NO : 11617 of 2005

Between:

Shaik Maqbool, S/o.Shaik Moulana,
R/o.H.No.8-3-706, Imamguda , Ameerpet, Hyderabad.

..... PETITIONER

AND

1 The Commissioner, The Hyderabad Municipal Corporation, Near Tank Bund, Hyd.
2 The Section Officer, Circle No.5, Municipal Corporation of Hyderabad, Khairtabad, Hyd.
3 The Building Inspector, Circle No.5, Municipal Corporation of Hyderabad, Khairtabad, Hyd.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents in trying to demolish the House of the petitioner bearing No.8-3-706 situated at Imamguda, Ameerpet, Hyderabad without issuing any notice as illegal and consequently direct them not to interfere with the petitioner's premises without following due process of law and grant such other relief as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.P.KRISHNA PRAKASH

Counsel for the Respondents : SMT.G.JYOTHI KIRAN, STANDING COUNSEL FOR MUNICIPALITY.

The Court made the following :

O R D E R :

1. This writ petition is filed by the petitioner against the action of the respondents in demolishing his house bearing No.8-3-706 situated at Imamguda, Ameerpet, Hyderabad without issuing any notice.

2. Heard learned counsel for the petitioner and Standing Counsel for the respondents.

3. It is not in dispute that the petitioner is the owner of the house bearing No.8-3-706 situated at Imamguda, Ameerpet, Hyderabad. There seems to be no notice issued to the petitioner by the respondents so far for violating any of the provisions of Hyderabad Municipal Corporation Act or Rules made thereunder. In case of demolition of the house bearing No.8-3-706 situated at Imamguda, Ameerpet, Hyderabad of the petitioner for contravention of the provisions of Hyderabad Municipal Corporation Act or Rules made thereunder, the respondents shall issue notice to the petitioner before resorting to such action. With the above direction, this writ petition is disposed of. No costs.

Dated: 14-06-2005 (B.Seshasayana Reddy, J)

Tnb

Cc two days.

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Commissioner, The Hyderabad Municipal Corporation, Near Tank Bund, Hyd.
2 The Section Officer, Circle No.5, Municipal Corporation of Hyderabad, Khairtabad, Hyd.

3 The Building Inspector, Circle No.5, Municipal Corporation of Hyderabad, Khairtabad, Hyd.

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